

REMARKS

Claims 1, 2, 8-19, 23, 24, 26-32, 34-47, and 49-55 remain allowed.

The specification has been amended to reinstate page 43, lines 27-28 of the specification as filed. These lines were deleted in the Amendment filed April 27, 2005. No new matter has been added by way of this amendment because Applicants are adding material that existed in the specification at the time of filing.

Summary of Interview on June 30, 2005

Applicants would like to thank the Examiner for the courtesy call/interview on June 30, 2005 with Shelly Fujikawa. During the interview, Examiner Pak notified the undersigned that the amendment canceling lines 27-28 on page 43 of the specification was new matter. The undersigned asked whether the claims would still be allowable if the canceled subject matter was restored. Examiner Pak replied that the claims may be allowable pending another search update.

Objection under 35 U.S.C. §132(a)

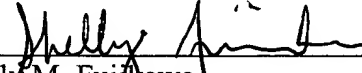
The Examiner has objected to the deletion of page 43, lines 27-28 disclosing that the incorporation of lanthanum within bone was measured using the solochrome azurine technique because this amendment added “new matter.” This deletion was requested by the Applicants to correct an inadvertent error that resulted from the determination that the solochrome azurine technique did not have the required sensitivity to detect lanthanum in bone and to eliminate any inference that lanthanum was not incorporated into bone. According to the Examiner, a skilled person at the time of filing would not have recognized that this technique did not have the sensitivity to detect lanthanum incorporated into the bones of animals orally dosed with lanthanum and, therefore, the amendment is “new matter.” The Examiner has requested that Applicants cancel the “new matter” in the reply to the Office Action.

Accordingly, in the interest of facilitating prompt and favorable reconsideration of this application, Applicants have complied with the Examiner’s request by reinstating lines 27-28 of

page 43 of the specification as filed. Applicants make this request without prejudice to the arguments presented in the Amendment dated April 27, 2005. Applicants respectively request that this one remaining objection be withdrawn and the application allowed.

Dated: October 5, 2005

Respectfully submitted,

By 
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